

UNITED STATES DISTRICT COURT FOR THE  
MIDDLE DISTRICT OF PENNSYLVANIA

HERNAN MORENO,  
Plaintiff

v.

THE EYE CENTER, ET AL.,  
Defendants

:  
:  
:  
: CIVIL ACTION NO. 3:14-CV-0081  
:  
: (JUDGE NEALON)  
: (MAGISTRATE JUDGE SCHWAB)

FILED  
SCRANTON

JUL 17 2014

ORDER

PER

DEPUTY CLERK

NOW, THIS 17<sup>TH</sup> DAY OF JULY, 2014, for the reasons set forth in the

Memorandum issued this date, **IT IS HEREBY ORDERED THAT:**

1. The Report and Recommendation, (Doc. 11), is **NOT ADOPTED**;
2. The Complaint, (Doc. 2), and the Amended Complaint, (Doc. 12), are **DISMISSED with prejudice**, as barred by the applicable statute of limitations;
3. Plaintiff's motion for leave to proceed in forma pauperis, (Doc. 7), is **GRANTED** for the sole purpose of filing this action;
4. The Clerk of Court is directed to **CLOSE** this case; and
5. Any appeal will be deemed frivolous, lacking merit, and not taken in good faith.



United States District Judge